IN THE SPECIFICATION

Please delete the first paragraph on page 14, which begins on line 1 and ends on line 19 and replace with the following paragraph:

Once the twist valve 22 has been rotated from its closed (Fig. 2) position to a position where the stem tip 95 is partly or fully out of engagement with the flow-blocking flange 93 (such as the position shown in Fig. 6), the herbicide device 10 is then preferably tilted at an angle relative to the ground so that a quantity of the herbicide compound is permitted to flow from the reservoir 11, through the valve unit 21, and onto the brush 50. The brush 50 is placed in direct contact with the surface of a plant 100 for treatment with the herbicide. In order to increase the delivery flow from the device 10, the reservoir 11 is preferably constructed of a flexible material, such as a plastic, which can be compressed by a user's hand to increase the flow of the herbicide through the valve unit 21 and onto the brush 50. This can be done by gravity, or by a user applying a gentle pressure on the exterior of the reservoir 1, or a combination of both. Furthermore, the flow may be controlled by the positioning of the twist valve 22, relative to the valve stem 23. The further the rotation of the twist valve 22 in the counterclockwise direction of double arrow "a" (Fig. 5) the greater the flow of the herbicide, as the tip 95 of the valve stem 23 is lowered from the flow-blocking flange 93. The flow can be regulated by the positioning of the valve stem tip 95 relative to the flow-blocking flange 93, in a range or relative positions from fully closed (Fig. 2) to fully open (Fig. 6).

A1

Please delete the first full paragraph on page 16, which begins on line 3 to line 25 and replace with the following:

In accordance with a preferred embodiment of the present invention, a preferred herbicide compound can comprise an oil-based or water-based

A2 Cont.

compound which has flowable properties, and is able to be dispensed by flowing through the valve unit 21 and associated flow through brush 50. In one preferred embodiment of the invention, an oil based herbicide compound is used, and is applied to the trunk or stem of plant, such as a weed, growth or other vegetation, for direct absorption through the plant's outer surface. The direct application and oil base facilitates maximum activity with the unwanted vegetation to aid in its removal. The oil based herbicide compound can be absorbed through the cambium and enter the phloem to maximize or enhance the herbicidal activity on the plant. Preferably, the herbicide suitable for use with the present invention is a compound comprising the active ingredient of a triclopyr butoxyethyl ester, which is provided as an oil based composition. Alternately, or in addition to the herbicide of the preferred embodiments, other herbicides having similar properties may also be used in accordance with the present invention. For example, the following herbicides, which are of the penetrating type may be utilized and delivered to an unwanted plant in accordance with the present invention: Garlon-4 (Dow Agro Sciences); Pathfinder II (Dow Agro Sciences); Pathway (Dow Agro Sciences); Stalker (American Cyanamid); BK800 (PBI Gordon); and Tree Hold (Amvac). Preferably, the herbicide is formulated in an oil-base fluid and can be suspended in the fluid or mixed therewith for dispensing through the valve unit 21 of the herbicide device 10.

IN THE CLAIMS

Please cancel claims 26 and 30 without prejudice.

Please amend the following claims to read as set forth: